

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No. EJ0717US (#90639)

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Jaime Rauld Faine, Freddy Aroca Alfaro, Raul Montealegre Jullian & Abraham Backit Gutierrez

For (title): NON-BIOCHEMICAL METHOD TO HEAP COPPER CONCENTRATES

1. Type of Application

This new application is for a(n) (check one applicable item below):

- ☒ (X) Original
- ☐ () Design
- ☐ () Plant
- ☐ () Divisional
- ☐ () Continuation
- ☐ () Continuation-in-part (CIP)

****NOTE:** If one of the following 3 items apply, then complete and attach added pages for new application transmittal where benefit of a prior U.S. application claimed.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date noted below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV203144931US addressed: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

Date: November 18, 2003

Sean F. Mellino

Sean F. Mellino

10/2001/sm



2. Benefit of Prior U.S. Application(s) (35 USC 120)

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OR PRIOR U.S. APPLICATION(S) CLAIMED.

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b)

- ☐ () The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed Which are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

- ☒ (X) 32 Pages of specification
☒ (X) 3 Pages of claims
☒ (X) 1 Pages of Abstract
☒ (X) 7 Sheets of drawing
 ☐ () formal
 ☒ (X) informal

4. Additional papers enclosed

- ☒ (X) Preliminary Amendment
☒ (X) Information Disclosure Statement
☒ (X) Form PTO-1449
☐ () Citations
☐ () Declaration of Biological Deposit
☐ () Special Comments
☐ () Other

5. Declaration or oath

- ☒ (X) Enclosed
 executed by (check **all** applicable boxes)
 ☒ (X) inventor(s).
 ☐ () legal representative of inventor(s). 37 CFR 1.42 or 1.43

- ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
- ☐ this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 12 below for fee.
- ☐ Not Enclosed.
- ☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all the above named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.
- ☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d).

6. Inventorship Statement

WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.

The inventorship for all the claims in this application are:

- ☒ The same
- or
- ☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,
 - ☐ is submitted
 - ☐ will be submitted.

7. Language

NOTE: An application including a signed oath or declaration may be filed in a language other than English. A verified English translation of the non-English language application and the processing fee of \$130.00 required by 37 CFR 1.17(k) is required to be filed with the application or within such time as may be set by the Office. 37 CFR 1.52(d).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).

- ☒ English
- ☐ Non-English
- ☐ the attached translation is a verified translation. 37 CFR 1.52(d).

8. Assignment

- (X) An assignment of the invention to **Minera Michilla S.A.**
(X) is attached (with separate transmittal)
() will follow

9. Certified Copy

Certified copy(ies) of application(s)

Chile	2694-2002	November 26, 2002
(country)	(appl. no.)	(filed)

from which priority is claimed

- (X) is (are) attached
() will follow

NOTE: The foreign application forming the basis for the claim for priority **must** be referred to in the **oath or declaration**. 37 CFR 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates. if any parent U.S. application or International Application form which this application claims benefit under 35 U.S.C. 120 is itself entitled to priority from a prior foreign application then complete item 17 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OR PRIOR U.S. APPLICATION(S) CLAIMED.

10. Fee Calculation

A. (X) Regular application

CLAIMS AS FILED						
	<u>Number Filed</u>		<u>Number Extra</u>		<u>Rate</u>	<u>770.00</u>
Total Claims	17	- 20 =	---	X	\$18.00 =	---
Independent Claims	1	- 3 =	---	X	\$84.00 =	---
Multiple dependent claim(s), if any				X	\$280.00 =	---

- ☐ Amendment canceling extra claims enclosed
- ☐ Amendment deleting multiple dependencies enclosed
- ☐ Fee for extra claims is not being paid at this time

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims canceled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 CFR 1.16(d).

Filing Fee Calculation \$770.00

B. () Design application (\$330.00 - 37 CFR 1.16(f))

Filing Fee Calculation \$

11. Small Entity Statement

- ☐ This is a statement that the applicant(s) qualify for small entity status under the patent statutes.

Filing Fee Calculation (50% of A or B above) \$

NOTE: Any excess of the full fee paid will be refunded if a verified statement and a refund request are filed within 2 months of the date of timely payment of a full fee. 37 CFR 1.28(a).

12. Fee Payment Being Made At This Time

☐ Not Enclosed
☐ No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)
☒ Enclosed

<input checked="" type="checkbox"/> basic filing fee	\$770.00
<input checked="" type="checkbox"/> recording assignment (\$40.00; 37 CFR 1.21(h)(1))	\$ 40.00
<input type="checkbox"/> petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 & 1.17(h))	\$
<input type="checkbox"/> for processing an application with a specification in a non-English language. (\$130.00 37 CFR 1.52(d) and 1.17(k))	\$
<input type="checkbox"/> processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))	\$
Total fees enclosed	<u>\$810.00</u>

13. Method of Payment of Fees

☒ Credit Card Payment Form, authorizing a charge in the amount of **\$810.00**.
☐ Charge Account No. 08-2441 in the amount of \$
 A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

14. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing the following items should **not** be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

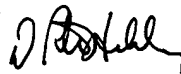
- (X) The Commissioner is hereby authorized to charge the following additional fees required by this paper and during the entire pendency of this application to Deposit Account No. 08-2441.
- (X) 37 CFR 1.16 (filing fees)
- (X) 37 CFR 1.16 (presentation of extra claims)
- (X) 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- (X) 37 CFR 1.17 (application processing fees)
- () 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).

15. Instruction As To Overpayment

- () Credit Account No. 08-2441. This transmittal is submitted in duplicate.
- (X) **Refund** directly to the undersigned, **specifically identifying our Docket No. EJ0717US.**

Respectfully submitted,

By: _____


D. Peter Hochberg
Reg. No. 24,603

DPH/sm
Enc.

D. Peter Hochberg Co., L.P.A.
1940 East 6th Street - 6th Floor
Cleveland, Ohio 44114-2294
(216) 771-3800

() **Incorporation by reference of added pages**

Check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attached the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

- () Plus Added Pages For New Application Transmittal Wherein

Benefit Of Prior U.S. Application(s) Claimed

Number of pages added _____

- () Plus Added Pages For Papers Referred To In Item 4 Above

Number of pages added _____

(X) **Statement Where No Further Pages Added**

If no further pages from a part of this Transmittal then end this Transmittal with this page and check the following item

- (X) This transmittal ends with this page.